

In The United States District Court
For The District of Delaware

Anson I. Gibbs, Sr.,

Civil Action No. 07-342 (SLR)

Plaintiff,

v.

Ruth Ann Wynn, Governor,
And Members of The Senate
And House of Representatives,
Legislature, of The State
of Delaware, et al.,

Defendants.

Jury Trial Demanded



BD scanned

Motion For Leave To File
An Amended Complaint

Plaintiff, Anson I. Gibbs, Sr., pursuant to Fed. R. Civ. P. 15(a) and 19(a), request leave to file an amended Complaint adding the following persons, as well as a new legal claim.

1) The Plaintiff in his original Complaint named ("Legislature") as defendants to represent members of the Senate and House of Representatives.

2. Since the filing of the Complaint the plaintiff has secured the names of the ("legislature") defendants. Therefore, in paragraphs 7, 18 and 32 of the Original Complaint where ("legislature") is incorporated, are amended to reflect the identity and actions of defendants: Thurman Adams, Steven H. Amick, Patricia M. Blevins, Colin R. G. Benini, George H. Bunting, Catherine L. Cloutier, Dorinda A. "Dori" Cannon, Nancy W. Cook, Charles L. Copeland, Anthony J. DeLuca, Margaret Rose Henry, Robert I. Marshall, David B. McBride, Hannis B. McDowell, Karen E. Peterson, F. Gary Simpson, David P. Sokola, Liane M. Sorenson, John C. Still, James T. Vaughn, Robert L. Venable; All (21) defendants are Senators of the (144th General Assembly).

3. Donald A. Blakey, Joseph W. Booth, Gerald L. Brady, Byron H. Short, V. George Caney, Richard C. Cathcart, Daniel B. Short, Bruce C. Ennis, G. Benjamin Ewing, Robert F. Gilligan, Bethany A. Hall-Long, Gregory A. Hastings, Gerald W. Hocker, Deborah Hudson, James Johnson, Helene M. Keeley, John A. Kowalko, Gregory F. Lavelle, Clifford B. "Biff" Lee, Vincent A. Lofink, Valerie Longhurst, Melanie B. Marshall, Pamela S. Maier, Nick T. Manolatos, Diana M. McWilliams, Joseph E. Mino, John L. Mitchell, Michael J. Mulrooney, William A. Oberle, William R. Outten, Hazel D. Plant, Teresa Schooley, Peter C. Schwartzkopf, Terry R. Spence, Donna D. Stone, Pamela J. Thornburg, Robert J. Valikuna, John J. Viola, Nancy H. Wagner, Robert E. Walls, Dennis J. Williams; All (41) defendants are Representatives of the (144th General Assembly).

4) pursuant to and under the provisions of 42 U.S.C. subsec. 1985 and 18 U.S.C. subsec. 241 and 242. All defendants mentioned in this Civil Action were joint participants in a conspiracy, who acted pursuant to a Statutory Scheme to willfully violate the rights of the plaintiff.

5) The defendants conspired to alter on charge by words, phrases or paragraphs, Article 1, sec. 2, clause 2 of the United States Constitution, as set forth in 10 Del. C. subsec. 6902(1), which violated plaintiff's rights, as set forth in plaintiff's Original Complaint filed with this Court on May 23, 2007.

6) "If two or more persons in any State or Territory conspire to prevent... any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws... the party so injured or deprived may have an action for recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators." (42 U.S.C. subsec. 1985 and U.S.C.A. Const. Amend. 14).

7) "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States... Shall be fined under this title or imprisoned not more than one year, or both." (18 U.S.C. subsec. 242 and U.S.C.A. Const. Amend. 14).

8). "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States... with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured... they shall be fined under this title or imprisoned for any term of years... or both..." (18 U.S.C. subsec. 241 and U.S.C.A. Const. Amend. 14)

9). It is held that "public officials are presumed to be aware of the law governing their conduct." The conduct of the defendants mentioned herein, is unbecoming of public officials and therefore, must be held liable under the laws governing such conduct.

10). The Court should grant leave freely to amend a complaint. *Forman v. Davis*, 371 U.S. 178, 182 (1962).

Wherefore: Plaintiff prays that the Court will grant leave to amend Complaint.

Dated: 6-4-07

Plaintiff
Clason I. Gibbs, Jr.
 Clason I. Gibbs, Jr., SBI #066982
 1181 Paddock Road
 Smyrna, DeKalbe 30088
 SHN Bldg #19 DL-11

(4)

Asen I. Gibbs, Sr.
UNIT # 886982 SHU-86 19-DL-11

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MILFORD, DELAWARE 19971

C.S.M. 9
K. RAY



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